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BY-LAWS

OF THE

MUNICIPAL COUNCIL

OF THE

TOWNSHIP OF AUGUSTA,

COUNTY OF GRENVILLE.

Passed in the months of January, February, and March,

1850.

PRESCOTT:

PRINTED AT THE TELEGRAPH OFFICE.

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BY-LAW NO. I.,

Of the Municipal Council of the Township of Augusta, in the County of Grenville, one of the United Counties of Leeds and Grenville, relating to the appointment of Township Officers.

I. The Municipal Council of the Township of Augusta, duly assembled in Council at the House of Lyman Stone, in the said Township of Augusta, the 22nd day of January, in the year of our Lord one thousand eight hundred and fifty, in virtue of an Act passed in the 12th year of the reign of Queen Victoria, Chap. 81, and entitled, "An Act to provide by one general law for the erection of Municipal Corporations, and the establishment of Regulations of Police, in and for the several Counties, Cities, Towns, Townships, and Villages in Upper Canada," do ordain and enact, and it is hereby ordained and enacted, that the names marked or named in the Schedule to this By-Law annexed and marked A, shall serve as Overseers of Highways and Pound Keepers, when the said Offices are attached to said names, and shall serve in the division and range set to their respective names, and that the names marked or named in the Schedule to this By-Law, annexed and marked B, shall serve as Pound Keepers when the said offices are attached to the said names, and that the names marked or named in the Schedule to this By-Law, annexed and marked C, shall serve as Fence Viewers, and that also, that the names marked or named in the Schedule to this By-Law, annexed and marked D, shall serve as Road Surveyors, according to law, and to be appointed under the Corporate Seal of the said Council.

II. And be it further ordained and enacted, that each and every of the foregoing Officers shall present himself before the Township Clerk, within eight days after receiving notice of his appointment to the said Office or Offices, and take the oath of Office prescribed by law, and in default thereof each and every Overseer of Highways, Pound Keeper, Fence Viewer, and Road Surveyor, shall, upon conviction of making default in taking the said oath of Office, before one or more of Her Majesty's Justices of the Peace, acting in the said Township, on the oath of one or more competent witness or witnesses, shall forfeit and pay a fine of not less than five shillings, and not more than ten shillings, with costs, immediately, or at such time as such Justice or Justices shall or may appoint, and in default of such payment, a distress warrant may be issued by such Justice or Justices against the goods and chattels of such offender, and to levy the same by distress and sale of such goods and chattels, and in default of property sufficient being found to pay such fine and costs, the said offender or offenders shall be committed to the common Gaol of the United Counties of Leeds and Grenville, for any time

not exceeding ten days, unless said fine and costs are sooner paid.

III. And be it ordained and enacted, that the Township Clerk shall serve, or cause to be served, upon the officers hereby appointed under this By-Law, a written notice of their appointment, to be served personally, or to be left at the usual place of abode of such person, which notice shall be taken and deemed to be a legal notice for the purposes of this By-law.

SCHEDULE A, REFERRED TO IN THE FOREGOING BY-LAW.

John Armstrong,	1st	Division in	1st Range.
George Heck,	2d	do.	do.
Andrew Wilson,	3d	do.	do.
Hiram Gilson,	4th	do.	do.
Erastus Fell,	1st	do.	2d do.
Matthew McIntosh,	2d	do.	do.
Charles Row,	3d	do.	do.
William Scott,	4th	do.	do.
Joseph Bass,	5th	do.	Philander Wood, (Rear.)
Samuel Keeler,	6th	do.	do.
James Howard,	7th	do.	do.
Moses Read,	8th	do.	do.
Joseph Cook,	1st	do.	3d do.
David Bass,	2d	do.	do.
John Carson,	3d	do.	do.
Gerard Irvine,	4th	do.	do.
William Bishop,	5th	do.	do.
John Wright,	6th	do.	do.
John Row,	7th	do.	do.
James Johnston,	1st	do.	4th do.
Adolphus Youker,	2d	do.	do.
Thomas Conlin,	3d	do.	do.
Paul Kingston,	4th	do.	do.
Charles Larry,	5th	do.	do.
Alexander Burke,	1st	do.	5th do.
Thomas Foster,	2d	do.	do.
John Black,	3d	do.	do.
William Landon,	4th	do.	do.
Caleb Henderson,	5th	do.	do.
Robert Cooper,	1st	do.	6th do.
Sorell Sophy,	2d	do.	do.
Thomas Guy,	3d	do.	do.
Thomas Crafts, Timothy Leary,	Moses Greer,	4th	do. in do.
John Chorrnan,	1st	do.	7th do.
William Stacey,	2d	do.	do.
John Warren,	3d	do.	do.

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SCHEDULE B, REFERRED TO IN THE FOREGOING BY-LAW.

Albert Pearson,	3d	Division in 1st Range.
John McCulloch,	4th	do. do.
William Walker,	6th	do. 6th do.

SCHEDULE C, REFERRED TO IN THE FOREGOING BY-LAW.

Albert Pearson,	Joseph Bass,
Joseph Scott,	James Slavin,
Benjamin Throop,	Warren Lyman,
Benjamin Warren,	Samuel Percival,
William McRoberts,	Jacob Heck.

SCHEDULE D, REFERRED TO IN THE FOREGOING BY-LAW.

Edward B. Birks.

Passed in open Council the 22d day of January, 1850.

[L. S.]

WM. GARVEY, *Town-Reeve.*P. PENNOCK, *Township Clerk.*

BY-LAW NO. II.,

Of the Municipal Council of the Township of Augusta, in the County of Grenville, one of the United Counties of Leeds and Grenville.

The Council of the Township of Augusta aforesaid, duly assembled in Council in the said Township of Augusta, on Tuesday the twenty second day of January, in the year of our Lord one thousand eight hundred and fifty, by virtue of an Act passed in the twelfth year of the Reign of Queen Victoria, Cap. 81, and entitled "An Act to provide by one general Law for the erection of Municipal Corporations and the establishment of Regulations of Police in and for the several Counties, Cities, Towns, Townships, and Villages in Upper Canada," do ordain and enact, and it is hereby ordained and enacted, that John Briggs, either by himself or by any other person, is hereby authorized to enter on the Government Allowance for a Road in rear of the Fourth Concession of the Township of Augusta aforesaid, and cut, take, and carry away, for the width of fifteen feet only, any timber or brush growing on the said fifteen feet in width, to make him a Road to pass and repass from Lot number Fourteen to Lot number Nineteen, and no further, on the said Allowance for Road.

[L. S.]

WM. GARVEY, *Town Reeve.*P. PENNOCK, *Township Clerk.*

BY-LAW NO. III.,

Of the Municipal Council of the Township of Augusta, in the County of Grenville, one of the United Counties of Leeds and Grenville, regulating the amount of Bonds to be given by the Township Superintendent of Common Schools, the Collector, and the Treasurer of the said Township of Augusta.

Whereas by an Act of the Provincial Legislature 12th Victoria, Chap. 81, entitled "An Act to provide by a general Law for the erection of Municipal Corporations, and the establishment of Regulations of Police, in and for the several Counties, Cities, Towns, Townships, and Villages, in Upper Canada," it is among other things provided, that it shall be the duty of the Municipal Council of each Township in Upper Canada, to pass a By-Law "for regulating the Bonds, Recognizances, or other Securities, to be given by all Township Officers, for the faithful discharge of their duties,"—Be it therefore ordained and enacted by the Municipal Council of the Township of Augusta, in Council assembled at the house of Lyman Stone, in the said Township, on the 12th day of February, in the year of our Lord one thousand eight hundred and fifty, that Moses Read, Collector for the said Township, be bound himself in the sum of six hundred pounds of current money, with two sufficient sureties to be bound in a Bond with him for the sum of three hundred pounds each, of current money; that James Clapperton, Superintendent of Common Schools for the said Township, be bound, himself in the sum of eight hundred pounds, current money, with two sufficient sureties, to be bound with him in a Bond for the sum of four hundred pounds, each of current money; that William Pennock, the Treasurer, be bound, himself in the sum of one hundred and fifty pounds, with two sufficient sureties to be bound with him in the sum of seventy five pounds each, of current money;—the whole of the said Bonds to be made payable to the said Municipal Council, or their successors in Office, legally appointed or elected, and to be signed and made before the Township Clerk for the said Township, and to be deposited in his office, to and for the use of the said Council, or their successors in Office, as aforesaid.

[L. S.]

P. PENNOCK, Township Clerk.

WM. GARVEY, Town Reeve.

BY-LAW NO. IV.,

For restraining and regulating the running at large of Horses, Cattle, Sheep, Goats, and Swine, and other animals, to be impounded, and to regulate the fines to be imposed upon the owner or owners of such animals running at large, contrary to the restrictions and provisions therein contained.

Be it ordained and enacted by the Municipal Council of the Township of Augusta, duly assembled at Lyman Stone's, the thirteenth

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day of February, in the year of our Lord one thousand eight hundred and fifty, that from and after the passing of this By-Law, all Bulls, Hogs, Boars, Sheep, Rams, Horses, stallions above two years old and all unruly Horned Cattle, be restrained from running at large, under a fine upon the owner or owners of such Bull, of five shillings; each Boar, five shillings; each Ram, ten shillings; each Horse, two shillings and six pence; unruly horned cattle, each five shillings; and stallions above two years old, twenty shillings each.

And be it further ordained and enacted, that any animal unlawfully running at large, on which a fine is hereby imposed, shall be liable to be impounded, and shall be held liable for any damage done upon the premises of the person or persons taking up the same; and that the fine hereby imposed may be collected on complaint before any Justice of the Peace acting in this Township, in writing made by any person or persons who may consider him or herself aggrieved by such animal or animals unlawfully running at large; and the said Justice, or any Justice of the Peace acting within the Township, is hereby authorized to take an information, and issue his summons, directed to any Constable, to require the appearance of the owner or owners of such animal or animals unlawfully running at large, and the said Justice is hereby authorized to convict the party so offending, on the oath of one or more credible witness or witnesses, and impose the fine on the owner or owners of such animal or animals respectively, together with the lawful costs usually attending convictions before a Justice of the Peace;—and in default of payment of such fine and costs imposed by such Justice as aforesaid, at such time as the said Justice shall appoint, that then the said Justice is hereby authorized and required to issue his warrant of distress, directed to some Constable, to levy the said fine and costs by distress, and sale of the goods and chattels of the person so convicted, within the time to be expressed in the said warrant, and if sufficient distress shall not be found, that the said Justice may, under his hand and seal, commit the party so offending against the provisions of this By-Law, to the Common Gaol of the County or United Counties of Leeds and Grenville, for a period of not less than four days, nor exceeding ten days.

And be it further ordained and enacted, that Horned Cattle, not unruly shall be allowed to run at large throughout the year, except from and after the first day of December in each year, to the fifteenth day of April in the succeeding year, and until the 15th of March in Villages.

And be it further ordained and enacted, that all animals hereby restrained from running at large, shall be taken and considered as unlawfully running at large, when they shall not be restrained within the premises owned or occupied by the owner or owners of such animal or animals respectively.

[L. S.]

P. PENNOCK, *Township Clerk.*

WM. GARVEY, *Town Reeve.*

BY-LAW NO. V.

To define and prescribe the duties of the following Township Officers, viz: Assessor, Collector, Overseer of Highways, and Pound Keepers, acting under the authority of the Municipal Council of the Township of Augusta, in the County of Grenville, one of the United Counties of Leeds and Grenville, and for other purposes therein mentioned.

Whereas by an Act of the Provincial Legislature, 12th Vic. Chap. 81, entitled "An Act to provide by a general law for the erection of Municipal Corporations, and the establishment of regulations of Police in and for the several Counties, Cities, Towns, Townships, and Villages, in Upper Canada," it is among other things provided, that it shall be the duty of the Municipalities of the Townships in Upper Canada, by a By-Law for that purpose, to regulate and prescribe the duties of all Officers acting under the authority of the Corporation of such Township, and the penalties on their making default in the performance of such duties:—Be it therefore ordained and enacted, and it is hereby enacted, that the following enactments and provisions shall be and constitute the duties of the Township Officers named in the said enactments, viz: the Assessor, Collector, Overseer of Highways, and Pound Keeper.

II. And be it further ordained and enacted, that it shall and may be lawful for the Assessor of this Township, and he is hereby authorized and required, to demand and receive from every rateable inhabitant resident within the Township, a list of all the rateable personal property in his, her, or their possession, and of all the lands and tenements, or other real estate, in his, her, or their possession, in the Township, specifying the number of the lot or lots, or parts thereof, the number of concession or concessions in which the same is, or are situated, or otherwise particularly describing the same, and also the number of acres cultivated or uncultivated in each lot or parcel of land, which list shall be taken between the first Monday in January and the first day of May, in every year, and a return made of the same at the time aforesaid, duly attested upon oath (or affirmation) before the Clerk of the County Council of the United Counties of Leeds and Grenville, and a true copy of the said return to be deposited in the office of the Township Clerk of the Township, of all the rateable inhabitants, with the list of their rateable property, specifying the particulars above mentioned; and he shall in like manner insert his own rateable property therein, and shall also extend on the said roll the amount on which he, she, or they shall be liable to pay tax opposite to their respective names, at the foot of which he shall subscribe his name, and shall cause the said return to be delivered to the Clerk of the County Council aforesaid, and also a true copy to be deposited in the office of the said Township Clerk on or before the first day of May aforesaid, and shall also, within the time aforesaid, put up a correct copy thereof in some conspicuous place, with-

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in the Township, for the inspection of the inhabitants. And the said Assessor shall, and he is hereby required, to report to a magistrate living in the Township, and to prosecute all such persons in the Township as he conceives to have either given a false list, or to have refused or neglected to give any list as the law directs, of their rateable property, in order that such offenders may be dealt with according to law, at least fourteen days previous to his returning such roll to the Clerk aforesaid.

III. And be it further ordained and enacted, that it shall and may be lawful for the said Assessor, and he is hereby authorized and required, to demand and receive, from every inhabitant householder, or head of a family, in his Township, a true and correct list of the number of persons composing such family, male and female, and their respective ages; also, all deaf and dumb and insane persons residing therein, all persons employed by or resident with such householder or head of a family, which list shall specify the different denominations of Christians to which they severally belong, and may be in the following form, to which he shall add the necessary columns to define the different religious denominations for such return.

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NUMBER IN EACH FAMILY.				DEAF AND DUMB.	INSANE.
Males.		Females.			
Under 16.	Over 16.	Under 16.	Over 16.		

IV. And be it further ordained and enacted, that if such household-er or head of a family shall refuse or neglect to give a true and correct list to the Assessor, he shall be liable to pay the same penalty as persons are liable to pay who neglect or refuse to give in a true list of their rateable property to the said Assessor, to be levied, collected, and paid into the hands of the Treasurer of the said Township, for the use of the Township, and the said Assessor shall perform the duties of enumerator for the year of our Lord one thousand eight hundred and fifty.

V. And be it further ordained and enacted, that it shall be the duty of the Collector appointed for this Township, to make application to the Clerk of the County Council of the United Counties of Leeds and Grenville, and the Clerk of the Township, first having lodged the Bond mentioned to be given by him, with the sureties required in By-Law number IV., and entitled "A By-Law of the Municipal

Council of the Township of Augusta, in the County of Grenville, one of the United Counties of Leeds and Grenville, regulating the amount of Bonds to be given by the Township Superintendent of Common Schools, the Collector and the Treasurer of the said Township of Augusta," for a certified copy of the Assessment Roll, as far as regards the Township of Augusta aforesaid, for the year in which he is appointed, which copy, after being duly examined and certified by the Clerk of the said County Council, or Clerk of the said Township, and shall be to such Collector sufficient authority for collecting the same, and from time to time to demand and receive from the rateable inhabitants of the Township, all such rates and Assessments as may be due and payable on such Assessment Roll, and shall pay over the amounts collected by him to the persons authorized by law to receive the same; and that in the event of any person or persons refusing or neglecting to pay his lawful Assessment or taxes, when demanded or after the expiration of fourteen days after demand being made, personally, or at the usual place of abode of such person or persons, or rateable inhabitant as aforesaid, then it shall be the duty of the said Collector to procure a Warrant of distress from some Justice of the Peace residing in the said Township, and to levy the said rate by distress and sale of the goods and chattels of the person or persons so neglecting or refusing, and if, after eight days, the said rate, together with the reasonable and necessary costs of taking and keeping the said distress, shall not be paid, that then the said Collector shall proceed to sell the said goods and chattels so distrained, and out of the proceeds of such sale he shall retain the said rate, together with the reasonable and necessary costs of taking, keeping, and selling the same, rendering the overplus, if any, (on demand) to the owner or owners thereof; provided nevertheless that it shall be the duty of the said Collector to make oath before the said Justice on procuring said warrant of distress, that the said rate has been demanded fourteen days, and is now due.

VI. And be it further ordained and enacted, that it shall be the duty of the Overseers of Highways of the Township, and they are hereby severally authorized and required to superintend, make, and keep in repair, the highways, roads, and bridges, that may be allotted to them severally, from time to time, and ordered by the Municipality of this Township, by any By-Law or regulation, by the said Municipality made, ordained, or enacted; and every Overseer of Highways shall, after the 10th of June, at such time as may be most convenient for such Overseer of Highways and the public generally, notify all persons within his division liable to perform statute labour, and order them after having given them three days' notice of the day, hour, and place, which notice may be delivered either in writing, or verbally, at the place of residence of said persons so liable to work, to attend to the making, keeping and repairing the Highways in their respective divisions, and may direct all persons performing such

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labour to destroy such weeds as may be in his or their opinion, hurtful to good husbandry, and to give to every person about to remove from the division, who may require it, a certificate under his hand, that the said person has duly performed his or her quota of Statute Labour; provided also, and it is hereby ordained and enacted, that all Statute Labour shall be fully performed and completed on or before the twenty-fourth day of July in each year.

VII. And be it further ordained and enacted, that any person liable to perform statute labour according to law, may compound for such duty, if he or she shall think fit, by paying into the hands of the Overseer of Highways acting for the division in which he or she resides, the sum of two shillings and six pence, for every day which he or she may be required to work, and such Overseer is hereby authorized and required to receive the same, and to expend it in improving the highways within his division, in the way he may consider the most prudent and judicious, and to keep an account of such money, and how it shall have been expended, so as to include it in his report to the Township Clerk, with the rest of his work, which report shall be made and deposited in the office of the Township Clerk, on or before the twenty-fourth day of September in each year: provided always that any person or persons wishing so to compound for his or her statute labour, or any part thereof, shall pay the same into the hands of the Overseer of Highways, acting for the division in which such person or persons may reside, in six days after receiving notice to perform such statute labour.

VIII. And be it further ordained and enacted, that in order to provide materials for erecting Bridges or Causeways, or making or repairing any road, with the money or labour of the Township, it shall and may be lawful for any Overseer of Highways, in the actual discharge of his duty, to direct the person or persons performing the work, to cut down or make use of any timber, trees, or underwood, lying or standing upon any uninclosed or unimproved lands, and also to break up and make use of stone upon any unimproved or uncultivated land lying in the vicinity of the Road under improvement, the said Overseer doing no wanton or unnecessary damage to the premises so entered upon.

IX. And be it further ordained and enacted, that any person liable to perform statute labour, and which shall not be compounded for as aforesaid, shall, either in person or by a sufficient and able bodied man in his stead, be obliged, under the direction of the Overseer acting for the division, to work faithfully and diligently on the road, and shall bring with him such tools or implements useful for the purpose, as he may be the owner of, (or may be within his procurement,) and be directed by the Overseer to bring, for and during the time he may be liable to work on the said road in each year, allowing eight hours to each day's work, exclusive of the time expended in going and coming to and from the place of work, and that every

person within the Township keeping a cart, or waggon, or a team of one or more horses, or yoke of oxen, shall send, on every day to be appointed by the said Overseers, a cart or waggon, or other implement and team, and one able bodied man to drive the same, for such space of time as he shall be liable to work on the said roads, according to law, allowing eight hours for such day's work, which said day's work, with a team and driver, shall be held equivalent to two days' personal labour for one man; and if any labourer or driver shall refuse or neglect to work faithfully, or to carry sufficient loads during the time above mentioned, it shall and may be lawful for the said Overseer, and he is hereby authorized and required to discharge such person or labourer, and the person furnishing such team shall be liable to the forfeiture which every such person would have incurred by virtue of this By-Law, in case such labourer had not attended, or such team and driver had not been sent, and shall not be allowed for the part or portion of the day which he may have labored.

X. And be it further ordained and enacted, that every person liable to perform Statute Labour in any division, and not having compounded for the same, according to law, who shall neglect or refuse after having been duly notified as aforesaid, to attend himself, or send a sufficient able bodied man in his stead, with such carriage, team, implement or instrument, as may be by this By-Law required by the Overseers, at the time and place appointed, shall forfeit and pay the sum of five shillings for each day he shall so neglect or refuse, to be recovered on complaint upon oath of the said Overseer of Highways, by warrant under the hand and seal of a Magistrate, after having duly convicted the party complained of, by distress and sale of the goods and chattels of the person so offending, rendering the overplus (if any there be) to the party, after deducting the penalty and legal costs and charges attending such conviction, distress and sale; and the imposing such fine or penalty on any person shall not in any wise release such person from performing any duty required of him by this By-Law, but he shall be liable and subject to perform the same, at any time within the current year when called upon so to do by the proper officer, as though no such penalty had been imposed.

XI. And be it further ordained and enacted, That if any person shall wilfully stop up any road or roads, or otherwise encumber the same with timber, cord wood, stones, or shall pull down or destroy any fence, railing, or guard, that shall have been erected along any water, bridge, or precipice, for the safety of travellers, or any guide or finger post in this Township, such person or persons so offending, on being convicted before a Justice of the Peace, on the oath of one or more credible witness or witnesses, shall forfeit and pay with costs, a sum not less than five shillings nor more than five pounds, to be recovered in the manner provided by the preceding clause of this By-Law: or in case any tree or trees shall be cut down, or fall out of any inclosed land or other lands which shall be occupied by a

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resident settler in such a way as to obstruct any public road or highway, or any other thing which may be represented as a nuisance, the owner or occupier of such land shall remove the same within twenty-four hours after notice received of such obstruction, under the penalty of ten shillings for every day the obstruction shall continue, the penalty and costs to be recovered in like manner as aforesaid.

XII. And be it further ordained and enacted, that from and after the passing of this By-Law, any person not assessed at more than twenty-five pounds, and who, by reason of age, sickness, numerous family, or misfortune, may be in poor and indigent circumstances, may apply to any Township Councillor for this Township, and the said Councillor shall inquire into the situation and circumstances of the person making such application, and shall and may, in his discretion, exempt such person from the performance of the whole, or part of his or her Statute Labour upon the Highways for the year, and give him or her a certificate to that effect, which shall be the Overseer's acquittance for the work.

XIII. And be it further ordained and enacted, that it shall be the duty of the Overseers of Highways, and they are severally hereby authorized and required, that when any highway, road, or bridge, gets obstructed by the falling of timber, or of snow, to order out immediately such number of persons, liable to perform statute labour, as they deem expedient, in their respective divisions, with teams to proceed to break such roads, or to cut away and remove such timber, that the Public travel be not impeded, and shall give to each person a certificate of the time worked by such persons, which certificate shall be considered as so much work being performed by such person or persons, for the year in which such labour may have been performed.

XIV. And be it further ordained and enacted, that if through any inadvertency or otherwise, the name of any person which should have been inserted in the Assessment Roll, shall be omitted, such person shall be liable to work on the highways in the division in which they reside, in the same proportion as if no such omission had taken place, and the Overseer is hereby authorized and required to insert in his road list, for labor, any such person as may come into his division to reside after the Assessment Roll has been taken for the year, and to call them out to perform statute labour in the same manner as other persons who reside in the Township; Provided always that immigrant labourers shall have resided full six months in this Province.

XV. And be it further ordained and enacted, that the Overseer of Highways shall make out a true list or account of all persons within their respective divisions, who are liable to work on the highways, and of the labour done or performed by any person liable for the same, or who shall have compounded for the same; and also all moneys that may have come into his hands by virtue of his office, and of the expenditure and payment of the same; which list and amount shall

be subscribed by such Overseer, and deposited in the office of the Township Clerk as aforesaid in this By-Law, verified upon oath, which oath may be administered by any Magistrate or the Township Clerk, on or before the twenty-fourth day of September as aforesaid, for the purpose of being placed with the records of this Township. And it shall be the duty of the Township Clerk to receive the said returns, and before the first day in December of each year, to furnish some Magistrate acting in the Township, or the division, with the name of the Overseers of Highways, who shall have not rendered their account for the current year, in order that the said Overseers may be prosecuted or called to account for a neglect of their duty, and punished as hereinafter provided.

XVI. And be it further ordained and enacted, that it shall be the duty of the several Pound Keepers in this Township to provide themselves severally with a lawful Pound, for the safe keeping of all animals sent to them to be impounded, and to receive the said animals so delivered to them as Pound Keepers; and they are authorized to receive the following fees, and no more, from the person or persons legally liable to pay the same, that is to say, for impounding any one or more Horse, Mule, Cow, Ox, Bull, Steer, Heifer, Sheep, Goat, Swine, or other animal or animals, being the property of one person, the sum of one shilling; for releasing any such animal or animals, being the property of one proprietor, from pound, the sum of one shilling; for food, watering, and attendance on any such animal, six pence for every twenty-four hours; for advertising any such animal or animals for sale, being the property of one person, the sum of one shilling and three pence; for selling any such animal or animals, being the property of one person, by Public Auction, as provided by law, the sum of one shilling and three pence;—and that any Pound Keeper not performing his duty according to law, or any By-Law made for their guidance, shall be liable to all the penalties, duties, and requirements imposed by this By-Law for the infraction of its provisions, to be collected in like manner.

XVII. And be it further ordained and enacted, that any of the foregoing Officers named in this By-Law, who shall contravene the provision or provisions respecting themselves, their duties, or their offices, respectively, as laid down and required to be done and performed by this By-Law, and who shall not comply with all the requirements hereof, respectively, within their respective offices, shall on conviction before any one or more Justice or Justices of the Peace, acting within this Township, upon the oath of one or more credible witness or witnesses, beside the complainant, shall forfeit and pay such fine, not exceeding five pounds, nor less than five shillings, with lawful costs, either immediately or at such time as such Justice or such Justices shall direct, and in default of such payment being made as aforesaid, with the costs, then the Justice or Justices convicting such person or persons, shall issue a Distress Warrant direc-

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ted to some constable to levy and collect the amount of the said fine and costs, by selling at Auction the goods and chattels of any such offender or offenders, returning the overplus, if any, to the owner, after deducting the costs of such distress and sale;—and should there be no such distress sufficient found, such offender or offenders, shall be committed to the common Gaol of the United Counties of Leeds and Grenville for any time not exceeding twenty days.

XVIII. And be it further ordained and enacted, that it shall be the duty of the Township Clerk to make out and furnish to the several Overseers of Highways, a Road List with the number of days every person resident in the division over which any such Overseer is appointed to act, together with the number of days each person is required to work on the roads, and to give them and all the other Township Officers such information respecting their duties, and By-Laws of this Council, as they may severally require, or as may be in his power to give.

XIX. And be it further ordained and enacted, that it shall and may be lawful for any Justice of the Peace acting in the Township, and for any Township Councillor belonging to this Township, when application be made to any or either of the foregoing functionaries, and any or either of them shall be satisfied that the public interests require it, to give an order in writing to any Overseer of Highways acting in this Township, to lay out as many days' labour upon any particular road, or bridge, or part of a road, or bridge, lying within his division, as they may deem just and reasonable, and as will promote the making and repairing any such road, bridge, or part of a road or bridge; and any such Overseer neglecting or refusing to obey such order, shall be liable to all the penalties and fines hereinbefore imposed on Overseers of Highways for a neglect of duty, which said penalties and fines to be collected also in the same way.

XX. And be it further ordained and enacted, that if any person who shall occupy a house, farm, or tenement, in this Township, and shall have been assessed for the same, shall leave the said Township, or place assessed, before the said assessed rates shall have been paid, it shall and may be lawful for the said Collector, to ask, claim, and receive, the said rates (except such part thereof as shall have been charged on moveable property,) from the owner of the said house, farm, or tenement, provided that the same shall have been demanded of any such owner or owners in the same manner as other taxes are hereinbefore required to be demanded, and all such owner or owners of any such house, farm, or tenement, refusing or neglecting to pay such taxes within the time required by this By-Law, may be proceeded against in the same manner as against any other person or persons liable to pay taxes, and may have neglected or refused to pay the same as required by law.

XXI. And be it further ordained and enacted, that the Collector shall be held liable for all rates and taxes not collected by him on or

before the first Monday in December in each year, that might or could have been collected had he made use of the legal means hereinbefore provided for enforcing the payment of the same ; provided also that it shall not be lawful to enforce the payment of any rate or tax, by a warrant of distress, after fourteen days from the said first Monday in December in each year.

[L. S.]

WM. GARVEY, *Town Reeve.*

P. PENNOCK, *Township Clerk.*

BY-LAW NO. VI.

For appraising the damages to be paid by the owners of horses, cattle, or other animals, trespassing, contrary to the By-Laws or Regulations of the Township of Augusta.

Be it ordained and enacted by the Municipal Council of the Township of Augusta, duly assembled at Lyman Stone's, on the eighteenth day of March, in the year of our Lord one thousand eight hundred and fifty, that it shall be the duty of any Pound Keeper, appointed by this Council, to provide himself with sufficient Yards or Enclosures for the safe keeping of all such animals as it may be his duty to impound ; and he is hereby authorised and required to impound all animals unlawfully running at large, trespassing, and doing damage, that may be delivered to him by any persons resident in this Province, taking up the same ; and it shall be his duty to furnish the same with necessary food and drink ; and if after the space of forty eight hours the said animals shall not be claimed and redeemed by the owner, or some one on his behalf, paying the Pound Keeper his lawful demand and charges, and the amount of damages awarded, in the manner hereinafter mentioned to have been done by such animals, to the person taking up the same, he shall cause a notice in writing to be affixed in three public places in the Township for at least fifteen days, which notice shall give a description of such animals, and also state the time and place at which he intends to expose the same for sale ; and if the owners of such animals, or some one in his or her behalf, do not within the time specified in such notice as aforesaid, redeem the same by paying to the said Pound Keeper his legal fees, which shall be regulated from time to time by a By-Law of this Council, and the charges, and the damages awarded to the person taking up the said animals, the said Pound Keeper shall proceed to sell the same to the highest bidder, at the time and place mentioned in the said notice, which sale is hereby declared to be valid in law ; and the said Pound Keeper shall, after deducting his own legal charges, and the damages awarded to the person taking

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up the said animals, or who may have suffered damage, return the overplus (if any there be) to the original owner; provided always that if no person shall appear to claim the said animals or the overplus arising from the sale of the same, within the space of three months after public notice and sale as aforesaid, the said Pound Keeper shall pay the overplus (if any) into the hands of the Treasurer of the Township for the time being, to aid the funds of the Township, for the payment of Township Officers, or for the general uses of the Township.

And be it further ordained and enacted, that if any Ox or Oxen, Horse or Horses, Cow or Cows, shall be impounded as aforesaid, and not claimed before the expiration of fifteen days as aforesaid, and the owner thereof shall not be known by the said Pound Keeper, then in that case the Pound Keeper shall not sell the above named animals at the time stated in such notice, but shall cause a notice describing such animals to be inserted in the public newspaper, published in the Township or vicinity, for the space of one month, at the expiration of which time such Pound Keeper shall proceed to sell the same, and dispose of the proceeds in the manner mentioned in the last preceding section of this By-Law; provided always, that the owner of the same may at any time before such sale redeem such animal or animals by paying demands as aforesaid.

And be it further ordained and enacted, that it shall be the duty of all and every person taking any animal or animals to Pound, when damages are claimed, to state verbally or in writing, at the same time, or within twenty-four hours, to the Pound Keeper all demands he may have against the owner of such animal or animals, for damages done by them; and in case the owner of such animal or animals shall tender the Pound Keeper the full sum which shall or may be awarded as damages to the party suffering the same, with the costs then incurred, the said animals shall then be released by the said Pound Keeper.

And be it further ordained and enacted, that it shall be the duty of any Pound Keeper, and he is hereby authorized and required, when the owner of any animal impounded shall object to the amount of damages claimed, within forty-eight hours after the same shall have been impounded as aforesaid, to notify three disinterested Freeholders or Householdors, farmers in the Township, to appraise the damages, and also to judge of the sufficiency of the fence enclosing the ground wherein such animals were found doing damage, (provided such animals are not of the description prohibited from running at large by law, in which case fences need not be viewed,) and such Freeholders or Householdors, farmers, or any two of them, shall, within twenty-four hours after the receipt of such notice, view said fence as aforesaid, and determine whether the same is a lawful fence, and if so appraise the damage done, and having reduced this their award to writing, shall deliver the same signed with their

names, to the Pound Keeper, within the space of twenty-four hours after having been so notified; provided always that if any person shall neglect or refuse to attend to examine said damage after being notified as aforesaid, he shall be liable to a penalty of five shillings for every such refusal or neglect, to be recovered in the same manner as fines imposed in a certain By-Law passed and enacted by this Council upon the owners of animals unlawfully running at large.

[L. S.]

WM. GARVEY, *Town Reeve.*

P. PENNOCK, *Township Clerk.*

BY-LAW NO. VII.,

For settling the Height and Description of lawful Fences in the Township of Augusta.

Be it therefore ordained and enacted by the Municipal Council of the Township of Augusta, duly assembled at Lyman Stone's, the eighteenth day of March, in the year of our Lord one thousand eight hundred and fifty, and it is hereby ordained and enacted, that any Fence constructed of stone, posts, boards, rails or poles, of four feet and one half in height, in which there shall be no opening or space between such stone, posts, boards, rails or poles, of more than twelve inches within two and one half feet of the ground, shall be taken to be, and shall be considered a lawful Fence, any law, custom, or usage to the contrary notwithstanding.

[L. S.]

WM. GARVEY, *Town Reeve.*

P. PENNOCK, *Township Clerk.*

BY-LAW NO. VIII.,

For settling the remuneration of the several Township Officers therein named.

Be it ordained and enacted, and it is hereby ordained and enacted, by the Municipal Council of the Township of Augusta, in Coun-

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oil duly assembled at the house of Lyman Stone, the eighteenth day of March, in the year of our Lord one thousand eight hundred and fifty, that the remuneration following, and no more, be allowed the different Township Officers undermentioned, viz:

Each Township Councillor, per day, five shillings.

Township Clerk, per year, seventeen pounds ten shillings.

Superintendent of Common Schools, per annum, ten pounds.

The Collector the usual per centage.

The Assessor do. do.

The enumerator what amount the Council shall deem right when his labour is completed.

The Auditors per day, five shillings while employed, and the Township Treasurer two and one half per cent. upon all monies received, and paid out by him, by virtue of his Office.

And be it further ordained and enacted, that it shall be the duty of the said Treasurer to pay out the monies of the Township coming into his hands, upon all orders signed by the Clerk, and countersigned by the Town Reeve, so far as the funds in his hands shall enable him so to do.

[L. S.]

WM. GARVEY, *Town Reeve.*

P. PENNOCK, *Township Clerk.*

BY-LAW NO. IX.,

To Assess the inhabitants of the Township of Augusta.

1. Be it enacted and ordained by the Municipal Council of the Township of Augusta, in the County of Grenville, one of the United Counties of Leeds and Grenville, assembled on the eighteenth day of March, in the year of our Lord one thousand eight hundred and fifty, that there shall be raised, levied, and collected, on the ratable or assessed property of the inhabitants of the said Township, for the current year, the sum of seventy-five pounds, currency, to meet the past, current, and future expenses of the said Township.

2. That an additional rate or sum of money equal to the Government appropriation to be made for Common Schools for said Township, shall be also raised, levied, and collected, for the said year, on the said property, for the support of Common Schools therein.

3. That the sum of twenty-five pounds additional be raised, levied, and collected, on the rateable or assessed property of the Freeholders and Householdors of School Section number nine, in the said Township, for the use of the Common School established in the said School Section.

4. That the County Clerk be authorized to apportion the said rates or sums of money respectively, on the said property, according to the values assigned to the same by law, and to place the said rates on the Collector's roll for the said Township.

5. That the said rates or sums of money respectively, when so apportioned and placed on the said roll, as aforesaid, shall be levied by the Collector of the said Township, in the same manner as is now provided by law for the collection of any other tax, and shall be paid by the said Collector to the Treasurer of the said Township, except the rate or sums for Common Schools, which shall be paid to the Township Superintendent of Common Schools for the said Township, on or before the first Monday in December next.

[L. S.]

WM. GARVEY, *Town Reeve.*

P. PENNOCK, *Township Clerk.*

BY-LAW NO. X.,

To define the duties of Surveyor of Highways in the Township of Augusta, and for other purposes therein mentioned.

Be it ordained and enacted by the Municipal Council of the Township of Augusta, in Council duly assembled, on the nineteenth day of March, in the year of our Lord one thousand eight hundred and fifty, that it shall be the duty of the Surveyor of Highways appointed by this Council, after he shall have been duly qualified by law, to proceed in the discharge of his duties in accordance to the provisions hereinafter provided.

2. That in all applications for the laying out of any new, or altering of any old road or roads, eight days' previous notice shall be given by such Surveyor before the sitting of this Council, at which the report of the Survey is intended to be made.

3. That it shall be the duty of the Surveyor of Highways to present his Report at the opening of the Council, and it shall be in the following form, that is to say:

Township of Augusta, } To the Municipal Council of the said Town-
To Wit. } ship, in Council assembled.

I, Surveyor of Highways in and for the Township of Augusta, in the County of Grenville, one of the United Counties of Leeds and Grenville, beg leave to report: That on application made to me, in accordance to law, bearing date the _____ day of _____ in the year of our Lord one thousand eight hundred and _____ stating as follows, (*here insert the application verbatim.*) I proceeded to examine the same, which I have surveyed and laid out as follows, that is to say: (*here insert the description of the road surveyed.*) and I have made the said road _____ feet in width. I have further to state, that I gave due public notice of this survey, by affixing a notice and description of the survey in three of the most public places next adjacent to the place where the aforesaid survey has been made.

A. B. Surveyor of Highways.

Dated the _____ day of _____ 185 .

4. That every Surveyor of Highways shall carefully enter in his report the requisition authorizing him to make the Survey, and shall see that it is in conformity to the Statute, according to the words of which the requisition is to state that any public highway or road in the neighbourhood of the said applicants, now in use, is convenient and may be altered, so as better to accommodate Her Majesty's subjects and others travelling thereon, or that it is necessary to open a new highway or road.

5. That every such Surveyor shall lay down in the blank space left for that purpose, an accurate description of the new road intended to be laid out or made, or of the proposed alterations of the old road, giving the length and courses as correctly as possible, and stating whether the survey is marked out by blazes on trees, or red chalk, or by stakes planted on the open ground.

6. That the width of the road shall be stated in the Survey, and a notice describing the Survey shall be posted up conspicuously in three of the most public places next adjacent to the Survey.

7. That every report shall be accompanied by a plan or diagram showing the course of the road surveyed, and its intended relation to roads already established, so that the Council may be enabled to judge of the necessity of establishing the same.

8. That in all cases in which claims are made for compensation for land taken for roads established by this Council, recourse shall be had to the provisions made for that purpose in the Act 12th. Vic. Chap. 81, and Sec. 195.

9. That no Licensed Surveyor shall be employed by the Surveyor of Highways, unless by special order of this Council, on its being shown that it is necessary or useful to obtain the aid of such Land Surveyor in laying out or altering any road or highway.

10. That the following forms shall be used in all Surveys, and claims for compensation for land taken for roads:

NOTICE OF SURVEY.

Notice is hereby given, that in accordance with a requisition of certain Freeholders of the Township of Augusta, I have surveyed a road as follows: (*here describe the survey, on what lot or lots and the course, &c., &c.,*) and that it becomes my duty to make a report of the same at the next session of the Municipal Council of the Township of Augusta.

A. B. Surveyor of Highways.

Dated the day of 185 .

NOTICE OF CLAIM FOR COMPENSATION.

To the Township Clerk of the Township of Augusta.

You are hereby notified, that I prefer a claim for compensation for land taken from my farm, being Lot No. in the Concession of Augusta, for a road, and that I have named Mr.

as my arbitrator, to ascertain the compensation that may be awarded to me for the same.

Dated the day of 185 .

11. And be it further ordained and enacted, that no new road to be opened hereafter shall be less than forty nor more than ninety feet in width.

[L. S.]

WM. GARVEY, Town Reeve.

P. PENNOCK, Township Clerk.

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